

Document No. 4038
Voted at Meeting of 1/22/81

BOARD OF APPEAL REFERRALS

February 12, 1981

1. Z-5051 Konstantinos & Stavros Frantzis & Khalil Laham
818 South Street, Roslindale
2. Z-5052 Konstantinos Frantzis
15 South Fairview Street, Roslindale
3. Z-5053 Ann D. Gleason
38 Hancock Street, Boston
4. Z-5058 Ebenezer Baptist Church
80 Worcester Street, Boston
5. Z-5060 Beth Israel Hospital Association
330 Brookline Avenue, Boston
6. Z-5063 Exxon Company USA
1390-1420 Boylston Street, Boston
7. Z-5069 Roslindale Realty Trust 1606
Sons of Italy Lodge 1606
30 Birch Street, Roslindale
8. Z-5071-5073 Joseph E. Guarnotta
390-392-394 East Eighth Street, South Boston
9. Z-5074 Alan Sedrish
5-7 Dresden Street, Jamaica Plain
10. Z-5076 Joyce Realty Trust
275 Old Colony Avenue, South Boston
11. Z-5077 Roman Catholic Archdiocese of Boston
420 Pond Street, Jamaica Plain
12. Z-5080 James J. and Margaret McCarthy
1619-1621 Tremont Street & 2A Wigglesworth Street
Roxbury

MEMORANDUM

February 12, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 2/10/81

Z-5051
Konstantinos & Stavros Frantzis
Khalil Laham
818 South Street, Roslindale
at South Fairview St.

2 1/2 story structure.

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from five to six family dwelling.

Violation(s):

Section

Required

Proposed

8-7. Any dwelling converted for more families is
forbidden in an R-.5 District.

17-1. Open space is insufficient.

In 1971 Authority recommended approval of change from two family dwelling and doctor's office to six family dwelling; Board of Appeal concurred. However the Building Department application indicated five families and permit was issued as such.

Large residence can support additional unit without adverse impact. Off-street parking is provided. No community response. Recommend approval.

VOTED: In reference to Petition Z-5051, brought by Konstantinos & Stavros Frantzis & Khalia Laham, 818 South Street, Roslindale, for a forbidden use and a variance for a change of occupancy from five to six family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Large residence can support additional unit without adverse impact. Off-street parking is provided.

YROS.)

BELGRADE

Board of Appeal Referrals

2/12/81

Hearing: 2/10/81

Z-5052
Konstantinos Frantzis
15 South Fairview St., Roslindale
near South Street

2 1/2 story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from two to three family dwelling.

Violation(s):

Section

Required

Proposed

- 8-7. Any dwelling converted for more families is forbidden in an R-.5 District.
- 14-1. Lot area is insufficient.
- 14-3. Lot width is insufficient.
- 14-4. Street frontage is insufficient.
- 16-1. Number of stories is excessive.
- 17-1. Open space is insufficient.
- 18-1. Front yard is insufficient.

Occupancy existing. Additional unit has no apparent adverse affect.
Neighborhood reaction mixed. Recommend approval.

VOTED: In reference to Petition Z-5052, brought by Konstantinos Frantzis, 15 South Fairview Street, Roslindale, for change of occupancy from two to three family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Occupancy existing. Additional unit has no apparent adverse affect.



- 50 52

15 SOUTH FAIRVIEW ST
(POS.)

FALLON FIELD

BELGRADE

PEN-FIELD

ROBERT

WALTER

SOUTH

SOUTH

SOUTH

BROOKFIELD

FAIRVIEW

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Board of Appeal Referrals

2/12/81

Z-5053

Ann D. Gleason

38 Hancock St., Boston
near Deme St.

Hearing: 2/10/81.

Five-story structure.

District(s): apartment H-2-65 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from lodging house to
seven apartments.

Violation(s):

Section

Required

Proposed

15-1. Floor area ratio is excessive.

17-1. Open space is insufficient.

Proposed occupancy is consistent with existing neighborhood density. Violations will not have an adverse impact. Beacon Hill Architectural Commission has granted approval and Civic Association reports no opposition. Recommend approval.

VOTED: In reference to Petition Z-5053, brought by Ann D. Gleason, 38 Hancock Street, Boston, for two variances for change of occupancy from lodging house to seven apartments in an Apartment (H-2-65) District, the Boston Redevelopment Authority recommends approval. Proposed occupancy is consistent with existing neighborhood density. Violations will not have an adverse impact.



Z-5053
38 HANCOCK ST.
(B.P.)

Board of Appeal Referrals

2/12/81

Z-5058

Ebenezer Baptist Church
80 Worcester Street
near Tremont Street

Hearing: 2/24/81

3 1/2 story structure.

District(s): apartment H-2 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from Parish House and
Sunday School to Parish House, Sunday School,
Day Care Center Clinic.

Violation(s):

Section

Required

Proposed

8-7. Clinic not accessory to a main use is
forbidden in an H-2 District.

Parish House has been used by the Solomon Carter Fuller Mental
Health Center for several years providing daily counseling and
occupational therapy programs to 19-20 elderly patients discharged
from mental hospitals. There are no sleeping facilities.

Recommend approval.

VOTED: In reference to Petition Z-5058, brought by
Ebenezer Baptist Church, 80 Worcester Street,
Boston, for a forbidden use for change of
occupancy from Parish House and Sunday School
to Parish House, Sunday School, Day Care Center
Clinic in an Apartment (H-2) District, the
Boston Redevelopment Authority recommends approval.
Solomon Carter Fuller Mental Health Center has
existed for several years providing ~~ing~~ beneficial
counseling and therapy programs.



2-5058

80 WORCESTER ST
(B.P.)

192V-1
1987

Board of Appeal Referrals 2/12/81.

Z-5060

Beth Israel Hospital Association
330 Brookline Avenue, Boston
near Longwood Avenue

Hearing: 2/24/81.

Hospital complex.

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Reduce parapet setback on four-story and penthouse
addition to four-story hospital research building.

Violation(s):

Section

Required

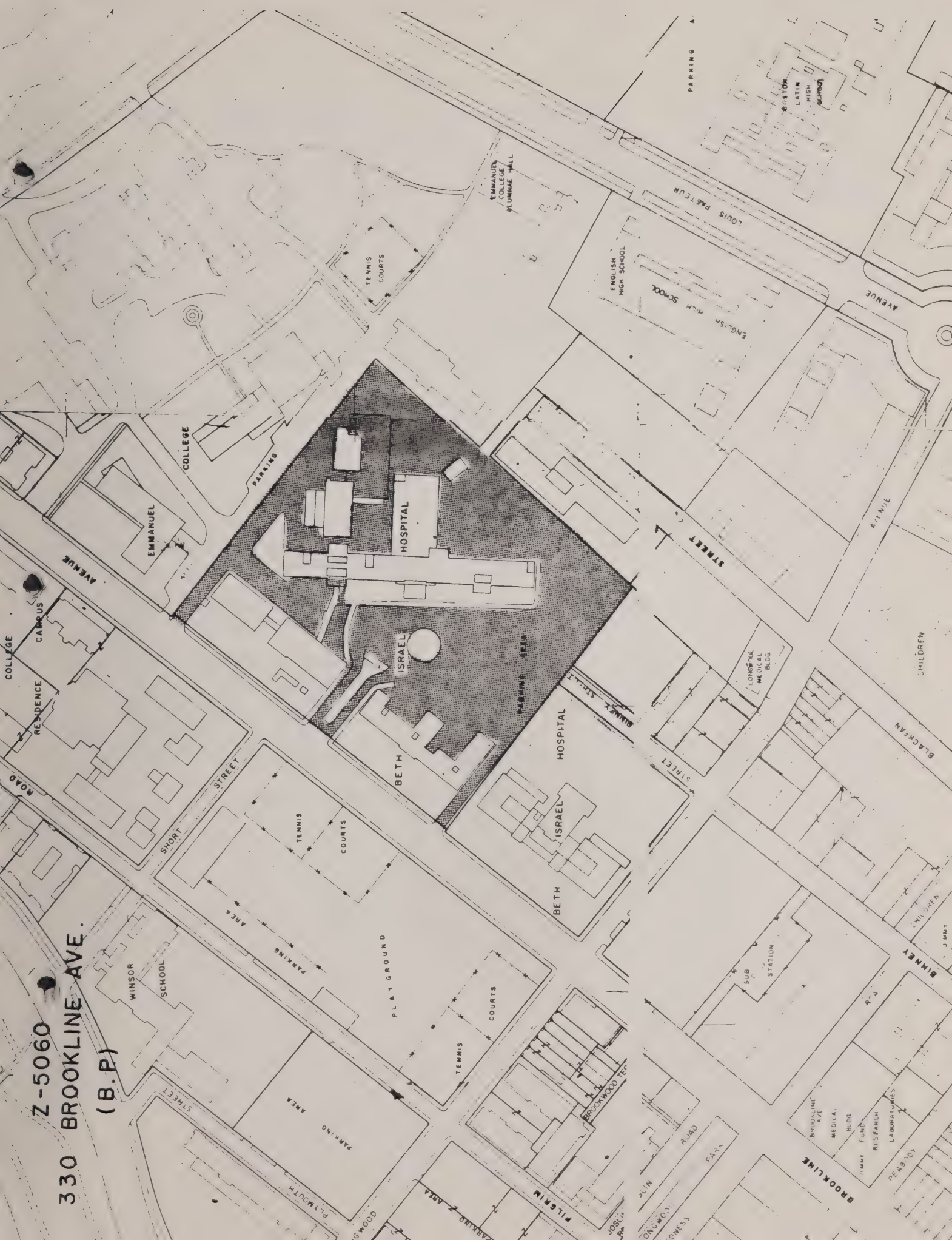
Proposed

21-3. Setback of parapet is insufficient.

Permit was issued in December for construction of research
addition. This proposal will amend plans reducing parapet
setback from required 19 feet to 11 feet. Petitioner states
compliance would result in costly construction and impair
efficiency of laboratory layouts. FENPAC has voted no opinion.
Recommend approval with proviso.

VOTED: In reference to Petition Z-5060, brought by
Beth Israel Hospital Association, 330 Brookline
Avenue, Boston, for a variance to reduce parapet
setback on four story and penthouse addition to
hospital structure in an Apartment (H-3) District,
the Boston Redevelopment Authority recommends
approval provided plans are submitted to the
Authority for design review.

330 BROOKLINE AVE.
(B.P.)



Board of Appeal Referrals

2/12/91

Z-5063

Exxon Company USA

1390-1420 Boylston Street, Boston
at Park Drive

Hearing: 2/24/81.

Gas service station.

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Remodel facility.

Violation(s):

Section

Required

Proposed

6-4. Signs directed towards residential area
contrary to previous Board of Appeal proviso.

8-6. Change in pre-existing conditional use requires Board
of Appeal hearing.

Consistent with petitioner's "Facelift Program", it is proposed to remodel exterior facade and building interior, relocate and increase gasoline, fuel oil and waste oil storage, install new sidewalk near building, enclose dumpster area, replace signs and add new sign.

Gas station has existed at this site since 1947. Proposal will improve facility and decrease bulk deliveries. Recommend approval with proviso.

VOTED: In reference to Petition Z-5063, brought by Exxon Company USA, 1390-1420 Boylston Street, Boston, for a conditional use and variance to remodel existing gas service station facility in a General Business (B-2) District, the Boston Redevelopment Authority recommends approval provided facility comply with Board of Appeal guidelines for gas service stations.



Z-5063
1390-1420 BOYLSTON ST.
(B.P.)

Board of Appeal Referrals

2/12/82

Hearing: 2/10/81

One-story masonry structure.

Z-5069

Roslindale Realty Trust 1606

Sons of Italy Lodge 1606

30 Birch Street, Roslindale

near Corinth Street

District(s):	apartment_____	general business B-1_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from office to private club.

Violation(s):
Section

RequiredProposed

23-2. Off-street parking is insufficient.

Private club "Sons of Italy" is existing. Meetings are conducted on Sundays without neighborhood complaint. Arrangements have been made with nearby banks to provide off-street parking when necessary. Little City Hall has no objections. Recommend approval with proviso.

VOTED: In reference to Petition Z-5069, brought by Roslindale Realty Trust 1606 & Sons of Italy Lodge 1606, 30 Birch Street, Roslindale, for a variance for change of occupancy from office to private club in a General Business (B-1) District, the Boston Redevelopment Authority recommends approval with proviso that use of club be restricted to non-banking hours. Arrangements have been made with nearby banks to provide off-street parking when necessary.

Z-5069

30 BIRCH ST.
(ROS.)



Board of Appeal Referrals

2/12/81

Z-5071-5073

Joseph E. Guarnotta

390-392-394 East Eighth Street

South Boston

near Covington Street

Hearing: 2/10/81.

Three 3-story structures.

District(s): apartment H-1-50 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Subdivide; legalize occupancy -
 three 3-family dwellings.

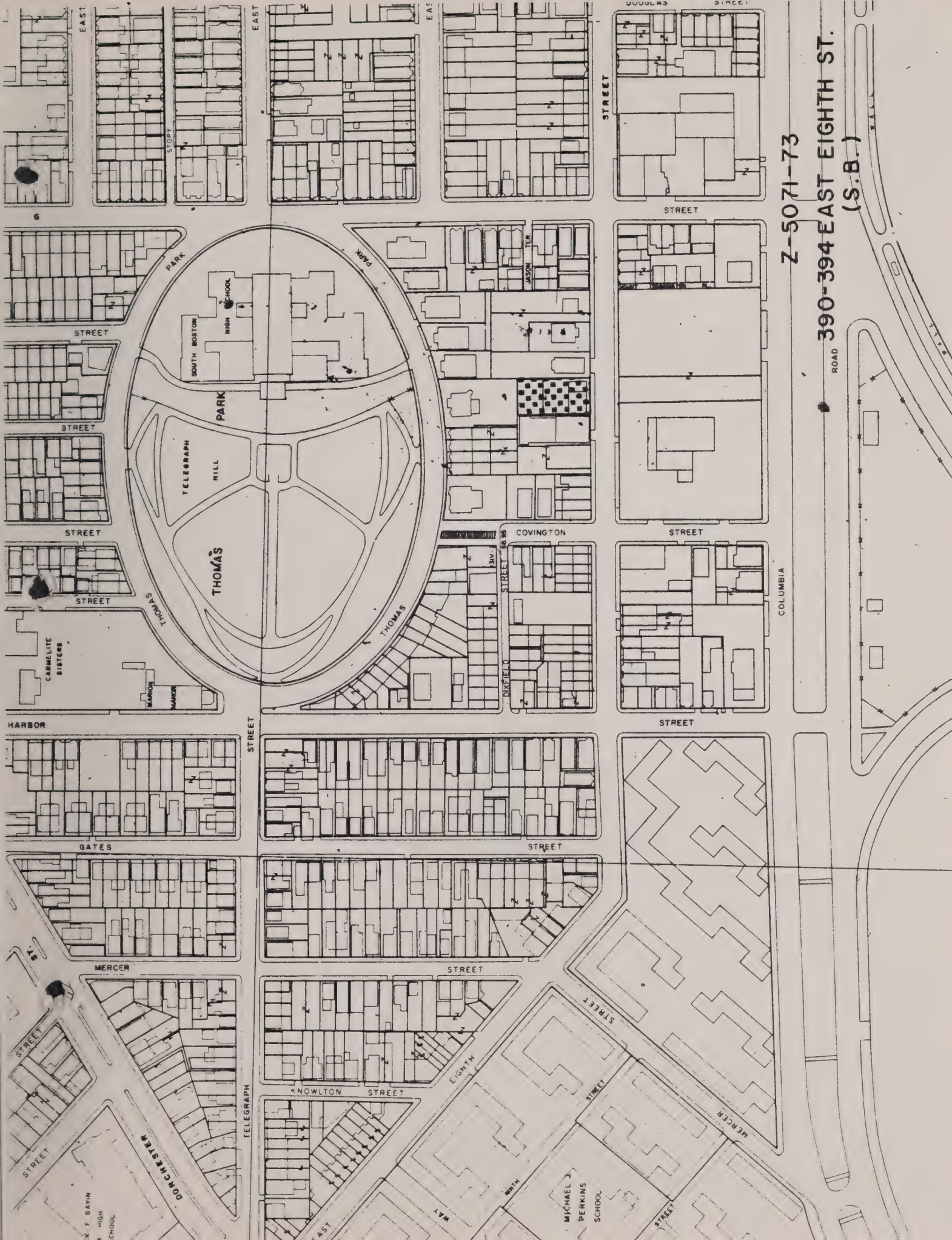
Violation(s):
Section

RequiredProposed

- 14-1. Lot area is insufficient.
- 14-3. Lot width is insufficient.
- 14-4. Street frontage is insufficient.

Three family units are inappropriate and incompatible with adjacent two-family residential properties. Staff would have no objection to subdivided two family occupancies. Community groups have mixed reactions. Recommend denial as submitted.

VOTED: In reference to Petitions Z-5071-5073, brought by Joseph E. Guarnotta, 390-394 East Eighth Street, South Boston, for nine variances to subdivide and legalize occupancy for three three-family dwellings in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends denial as submitted. Three family units are inappropriate and incompatible with adjacent two family properties. However, Authority would support subdivided two family occupancies.



Z-5071-73

390-394 EAST EIGHTH ST.

(S.B.)

Board of Appeal Referrals

2/12/81

Z-5074

Alan Sedrish

5-7 Dresden St., Jamaica Plain
near Boylston Street

Hearing: 2/10/81.

2 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Legalize occupancy - three family dwelling.

Violation(s):

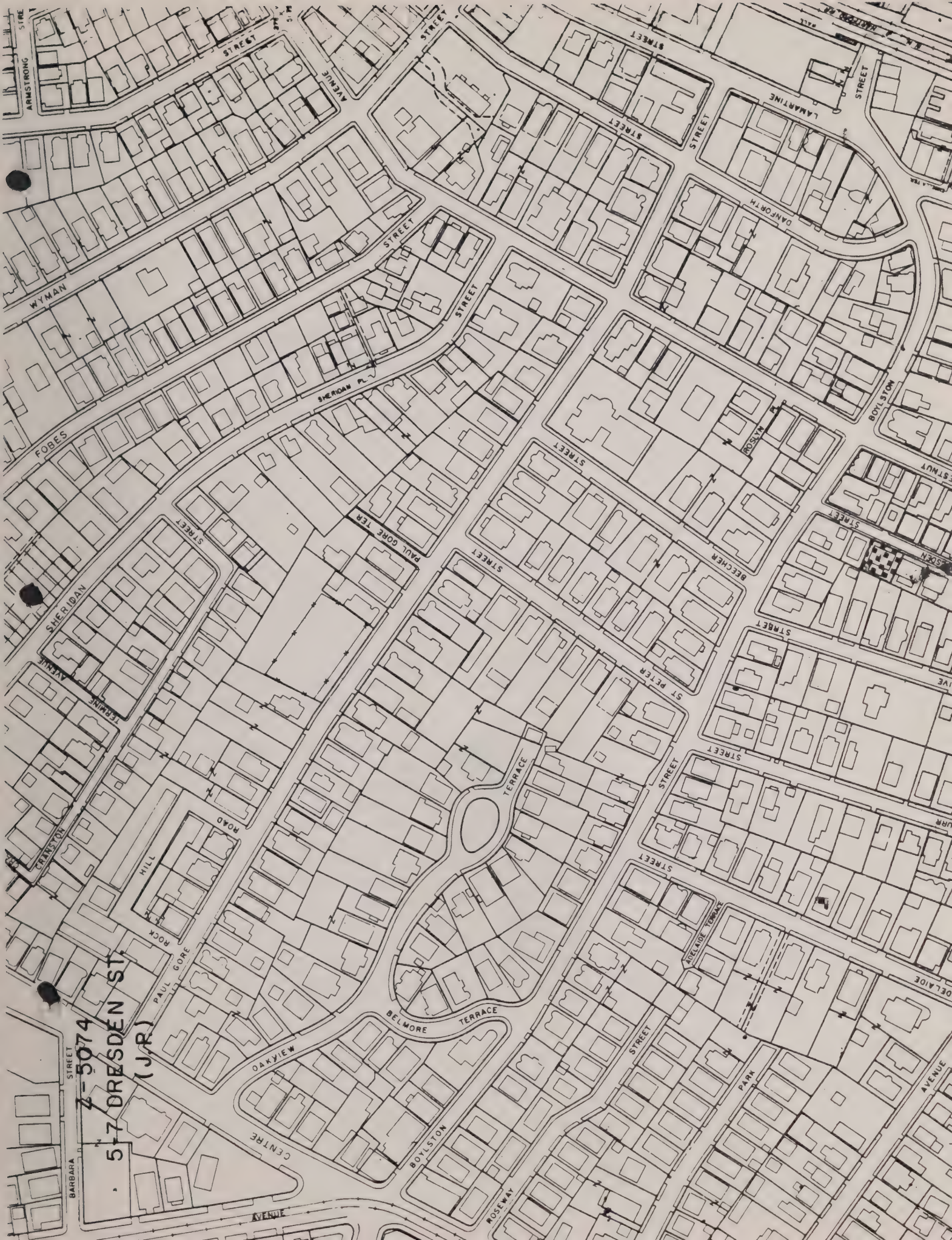
SectionRequiredProposed

8-7. Any dwelling converted for more families which does not meet the requirements for lot area is forbidden in an R-.8 District.

15-1. Floor area ratio is excessive.

Occupancy existing for many years without adverse affect. Similar properties also exist on the street. No objections. Recommend approval.

VOTED: In reference to Petition Z-5074, brought by Alan Sedrish, 5-7 Dresden Street, Jamaica Plain, for a forbidden use and variance to legalize occupancy for three family dwelling in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Occupancy existing for many years without adverse affect and consistent with similar properties on the street.



5-5074
5-7 DRESDEN ST
(J.R.)

Board of Appeal Referrals

2/12/81

Z-5076

Joyce Realty Trust

275 Old Colony Avenue, South Boston
at Trimount Place

Hearing: 2/24/81.

Vacant gas service station.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Erect kiosk for proposed self-service gas station.

Violation(s):

Section

Required

Proposed

9-1. Reconstruction of a non-conforming use requires
Board of Appeal hearing.

18-1. Structure may not be constructed in required front yard.

20-1. Structure may not be constructed in required rear yard.

Gas station has been located at site for many years. Irregular
shaped lot necessitates use of front and rear yards. Recommend
approval with provisos.

VOTED: In reference to Petition Z-5076, brought by Joyce
Realty Trust, 275 Old Colony Avenue, South Boston,
for a change in a non-conforming use and two
variances to erect a kiosk for proposed self service
gas station in a Local Business (L-1) District, the
Boston Redevelopment Authority recommends approval
with the following provisos: that lights reflect
downward and away from residential properties; that
shrubbery be provided at rear and a six-foot high
fence be erected to screen abutting properties; that
hours of operation occur between 6 AM and 11 PM;
that facility comply with Board of Appeal guidelines
for gas service stations; that plans inclusive of
internal traffic plan be submitted to the Authority
for design review.



Z-5076
275 OLD COLONY AVE.
(S.B.)

COLUMBIA

AVENUE

MAJOR M.J. O'DONOHUE

LOBBAN

GENERAL LAWRENCE

MAJOR M.J. O'DONOHUE

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Board of Appeal Referrals

2/12/81

Z-5077

Roman Catholic Archdiocese of Boston
420 Pond Street, Jamaica Plain
near Avon Street

Hearing: 2/10/81.

Children's Home complex

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family S-.3		manufacturing _____

Purpose: Change occupancy from Children's Home, administrative facilities, day care for 50 children to Children's Home, administrative facilities, day care for 140 children, pre-school children and infants and convent.

Violation(s):

Section

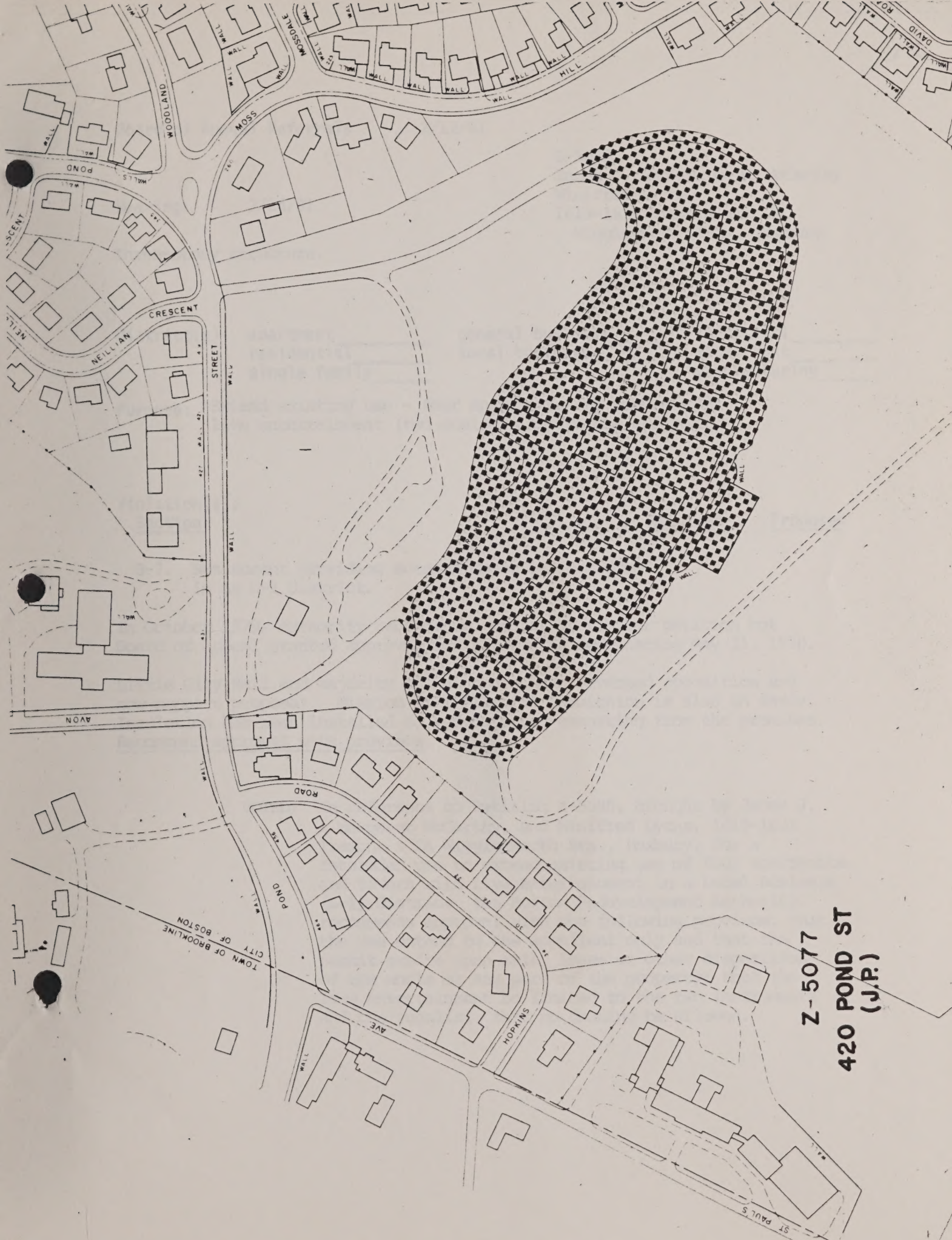
Required

Proposed

9-1. Extension of a nonconforming use requires Board of Appeal approval.

A vacant residential wing would provide accommodations for increased day care facilities. No structural change. No community objections.
Recommend approval.

VOTED: In reference to Petition Z-5077, brought by Roman Catholic Archdiocese of Boston, 420 Pond Street, Jamaica Plain, for an extension of a non-conforming use for change of occupancy from Children's Home, administrative facilities, day care for 50 children to Children's Home, administrative facilities, day care for 140 children, pre-school children and infants and convent in a Single Family (S-.3) District, the Boston Redevelopment Authority recommends approval. Proposal will not have an adverse affect on the neighborhood. Needed services for infants and pre-school children are included.



Z-5077
420 POND ST
(J.P.)

Board of Appeal Referrals

2/12/81

Hearing: 2/24/81

Z-5080

James J. and Margaret McCarthy

Winifred Lyons

1619-1621 Tremont and 2A

Wigglesworth Sts., Roxbury

Three-story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Extend existing use - four apartments and tavern with
live entertainment (two musical instruments and vocal).

Violation(s):

Section

Required

Proposed

8-7. Restaurant providing entertainment is forbidden
in an L-1 District.

In October 1979, Authority recommended denial of similar petition but
Board of Appeal granted approval for six months terminating May 31, 1980.

Little City Hall and majority of neighbors have reversed opposition and
now support proposal. Mission Hill Planning Commission is also in favor.
Insulation has been installed to reduce sound emanating from the premises.
Recommend approval with provisos.

VOTED: In reference to Petition Z-5080, brought by James J.
& Margaret McCarthy, and Winifred Lyons, 1619-1621
Tremont & 2A Wigglesworth Sts., Roxbury, for a
forbidden use to extend existing use of four apartments
and tavern with live entertainment in a Local Business
(L-1) District, the Boston Redevelopment Authority
recommends approval with the following provisos: that
the use extend to the appellant only and that the
permit expire upon sale, lease or other disposition
of the whole or any part of the property; that the
live entertainment be limited to the two instruments
and one vocalist; that no dancing be allowed.



Z-5080
1619-1621 TREMONT ST.
2A WIGGLESWORTH ST.
(ROX.)

